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PATENTREMARKS

This Amendment and Response is submitted in response to the Office Action mailed July 7, 2004. Applicant respectfully requests reconsideration and withdrawal of all outstanding rejections.

Claims 1-28 are pending and under consideration. Claims 1 and 15 have been amended to clarify and particularly include a feature of the present invention that the applicant believes distinguishes it from the prior art as explained in more detail below. Support for the amendments may be found throughout the specification and, therefore, no new matter has been added by reason of these amendments.

The Rejection of Claims 1-28 Under 35 U.S.C. § 103

The Examiner rejected claims 1-28 under 35 U.S.C. 103(a) as allegedly being unpatentable over *Olivier*. Applicant respectfully traverses the rejection.

As set forth in independent claims 1 and 15, now amended, the present invention relates to method and system which allow users to interact with web-based forms containing question-based online queries or polls in real time, a critical element that *Olivier* neither teaches or suggests.

As noted in applicant's previous response, the interactions described in *Olivier* is based on emails, a format in which interaction is inherently not real time. The system in *Olivier* is an email-based newsletter format with dissemination and targeting of email content based on users' preferences and types of communications that they are willing to receive. It is basically a newsletter subscription service for people to find other people with same type of interests to send contents back and forth to. Significantly, *Olivier* is silent and does not teach or suggest using polls in real time as claimed, but instead only

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refers to email-based message board system. As described in *Olivier's Summary of the Invention*, "a presently preferred embodiment of the present invention is directed to a method for users to exchange group electronic mail by establishing individual profiles and criteria for determining personalized subsets within a group."

Any assertion that *Olivier* suggests modification of its teachings to meet the claimed methods and systems would be possible only after reading the Applicant's disclosure, and would be thus based on improper hindsight construction.

In view of the foregoing remarks and claim amendments, Applicant believes that the entire application is in condition for allowance and such action is respectfully requested. If it is believed that prosecution can be assisted thereby, the Examiner is invited to contact Applicant's undersigned Representative at the below-listed telephone number.

Respectfully submitted,

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